



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,132	04/08/2004	Jim Davies	558 (P1338US00)	8632
40604 7590 02/11/2009 MITEL NETWORKS CORPORATION MICHELLE WHITTINGTON, ESQ. 7300 WEST BOSTON STREET CHANDLER, AZ 85226				
EXAMINER NGUYEN, PHUNG HOANG JOSEPH				
ART UNIT		PAPER NUMBER		
2614				
MAIL DATE		DELIVERY MODE		
02/11/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/820,132

Applicant(s)

DAVIES ET AL.

Examiner

PHUNG-HOANG J. NGUYEN

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13, 14, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13, 14, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/08 has been entered.
2. Claims 1 and 3 have been amended. No claim is cancelled. Claims 21 and 22 are newly added. Claims 1-10, 13-14 and 21-22 are still pending in this application, with claims 1 and 3 being independent.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, 9-10, 13-14 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al (6,091,808) in view of Bhandari et al (U.S. Patent 6,891,940);

As to claims 1 and 10, Wood, via fig. 2 and Abstract, teaches a system for a remote user having access to a remote voice communication system at a first location to implement user-defined telephony features, including receiving and placing of a call in an integrated communications platform at a second location, comprising:

a personal assistant (PA) (**col. 4, lines 35-36 and 44-45**) for processing said user-defined features (**col. 1, lines 8-9. Also see fig. 3 to see how a subscriber can define his/her own setup**) on said integrated communications platform; and an Internet-enabled appliance Web located at the first location (**col. 4, lines 44-45 and 32-35**), the appliance comprising a remote policy application (RPA) (**call control system 32, an element of web network 20, having call application API 44 performing the connection and management, see entire document, specifically figs. 2-3**) for communicating with the personal assistant (PA), the RPA connects with the PA to authenticate (**options (e.g. function buttons and/or editing windows) to permit the subscriber to register or log in, col. 6, lines 1-10. Examiner's note: Wood also teaches accessing the computer network facility using the subscriber identified by the calling number and all the logged information relating to communications to and/or from the calling number... As appreciated by the ordinary skilled artisan, the accessing action is a subsequent act of authentication. There is no way for anyone to access if fails to verification/authentication, col. 2, lines 21-30**) the remote user and notify the PA of the remote user's location information (**the subscriber is able to access his telephone web page on the web facility 22 from any web browser at any location. This enables all of his call management functions to be available to him regardless of where he may be, for example at home, in an office, or traveling using a mobile telephone and web browser, col. 9, lines 46-50. Furthermore, Wood also teaches, throughout his invention, call log which also contains the**

location information, the call identity information and the time information) in response to which said personal assistant (PA) reviews the user-defined features (**col. 1, lines 8-9. Also see fig. 3 to see how a subscriber can define his/her own setup**) and effectuates connection of the call to the first location, whereby connection of the calls continues to the first location (**making a telephone connection, col. 10, lines 15-34**) for as long as the user remains authenticated to the PA.

Wood does not EXPLICITLY teach the type of call answer service. It is obvious to the ordinary skilled artisan that Wood's system in an intelligent system (**See the entire document, specifically fig. 1 and par. 0012-0015 for the intelligent system. Fig. 3 for the directory shown of the telephone contact with one single click away to make direct connect**). Therefore, if it is not inherent, it is obvious that direct dialing is one of the most basic features of call answer services in the intelligent system where the telephone at the remote site is addressable through a public directory number (as stated by the current application on par. 0046).

Examiner however would go further and provide more prior arts to support what Wood does not EXPLICITLY teach.

Bhandari widely teaches the authentication at the log-in process (**see entire document specifically col. 14, line 11 and fig. 4**) to provide the remote access to communications services.

Bhandari furthermore teaches the call answer service as an auto-attendant service as Bhandari discusses the use of Interactive Voice Response system throughout the document (**Upon review of the service status, the user may choose**

to interact with one or all of the available services. When the user selects a desired service, a message is sent to the Web server 43, which responds with the corresponding service screen. When the user selects a particular service necessitating access to the PSTN (e.g., OCC or ICM), the request is sent to the intelligent peripheral 40. Significantly, this is the same intelligent peripheral that implements IVR access to the user's services through a conventional PSTN, col. 9, lines 34-42) for the purpose of providing the subscriber the ability to update and review service data via an interactive voice response (Abstract).

Therefore it would have been obvious to the ordinary skilled artisan at the time of the invention was made to incorporate one or more steps of Bhandari into the teaching of Wood to explicitly define the type of call answer services to affirm that call answer services such as the dial direct or auto-attendant or human receptionist is a quite common practice in the remote access communication.

As to claims 3 and 5, please see claim 1. Furthermore, both Wood and Bhandari teach a local integrated communications platform (ICP) (**Wood: a switch-computer interface (SCI) 26 which forms part of the telephone switch 16, col. 4, lines 5-11 and fig. 20 which can comprise any other desired form of communication path. See Wood's entire document. Bhandari: fig. 1).**

As to claim 4, both Wood and Bhandari teach a graphical user interface for said remote user to enter said user authentication and location information (**Wood: the web page manager 36 is a software application that manages the presentation of the call management web pages to the subscriber via the web 20, and that can easily**

be provided in known manner to provide any desired web page appearance, col. 5, lines 1-10. Bhandari: the subscriber can conveniently customize services managed by the PCM through a graphical user interface (GUI) that efficiently presents the complex data associated with the managed services with minimal service provider interaction, col. 4, lines 35-39).

As to claim 6, see claims 1 and/or 3 and 5, further information on dial a public directory number (***see fig. 3).***

As to claim 9, see claims 1 and/or 3. Furthermore, Wood teaches user transferring the call within said local integrated communications platform to a directory number (DN) identified in said location information (***Wood describes the call forward/can transfer capability as past of the conventional telephone features/service, col. 9, lines 60-63).***

As to claims 13-14, see claims 1 and/or 3. Furthermore, Wood teaches a call request over the Internet to said remote policy application (RPA), wherein said call request (***a message containing dial request***) contains calling party identification information (***calling telephone number CN of the subscribers***), and initiating a voice call (***label 75 of fig. 3 for dial***) from said local integrated communications platform to the remote voice communication system using said location information , and upon call answer by said remote user transferring the call within said local integrated communications platform to a directory number (DN) identified in said location information (***col. 6, line 42 - col. 7, line 9 and fig. 3).***

As to claims 21-22, see claim 1 on the teaching on said type of call answer services.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood in view of Bhandari further in view of Polychronidis et al (US Pub 2003/0018704)

As to claim 2, both Wood and Bhandari teach the use of Internet (and as appreciated by the ordinary skilled artisans that Internet is very commonly platform and well-known compatible application for SIP to be built on), both however do not explicitly teach a first SIP Agent connected to said remote policy application or RPA and a second SIP Agent connected to said personal assistant or PA for effecting communication using SIP messages between said remote policy application (RPA) and said personal assistant (PA) over the Internet.

However, Polychronidis teaches a first SIP Agent (***SIP NPL agent 91, par. 0078, line 10***) connected to said remote policy application or RPA and a second SIP Agent (***the SIP user agent (not shown) of the user's processing device 94, par. 0079, line 4***) connected to said personal assistant or PA for effecting communication using SIP messages between said remote policy application (RPA) and said personal assistant (PA) over the Internet (***see Figs. 9 – 10 and pars. 78-82 for the effecting communication using SIP message between two agents***) for the purpose of providing a techniques for accessing presence and location information associated with processing devices on a network (***par. 0001***).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time of the invention was made to incorporate the teaching of Polychronidis into the

teaching of Wood, in view of Bhandari, for the purpose of providing a variety of technique in locating the location information of the callers (*par. 0019*).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood in view of Bhandari further in view of Robinson et al (US Patent 5,533,102).

As to claim 7, Wood fails to disclose:

- a) an auto-attendant (Note: Bhandari also teaches this as Interactive voice recognition)
- b) upon call answer by said auto-attendant out-pulsing a directory number (DN) identified in said location information of a telephone for said remote user, connecting an automatic speech recognizer (ASR) for listening to detect a code word spoken by the remote user upon answering; and
- c) upon detecting said code word providing a voice channel over said PSTN to provide service to the remote user.

Robinson however teaches:

- a) an auto-attendant (*the auto-attendant plays a prompt to the caller, and the caller optionally responds with a DTMF or voice command; col. 10, line 66- col. 11, line 3; also see fig. 2*).
- b) upon call answer by said auto-attendant out-pulsing (***to notify the called party of incoming calls, including caller identification, and continue to notify the called party of the progress of the call through various states, col. 11, lines 47-49***) a directory number (DN) identified in said location information of a telephone (***see figs. 5-7 for user identification and information on specific account number***) for

said remote user, connecting an automatic speech recognizer or ASR (***automatic voice recognition, col. 8, line 48***) for listening to detect a code word spoken (***voice command, col. 11, line 3***) by the remote user upon answering; and

c) upon detecting said code word providing a voice channel (***communication channel, col. 4, line 44; col. 11, line 8***) over said PSTN to provide service to the remote user for the purpose of providing a telephone user with information concerning a caller, and means for instructing an auto attendant how to handle the call (***col. 1, lines 16-18***).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time of the invention was made to incorporate the teaching of Robinson into Wood, in view of Bhandari, for the purpose of providing greater access and convenience for the callers as well as the receivers that a call is handled properly.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood in view of Bhandari, in view of Robinson, and further in view of Miner et al (US Pat 5,652,789).

As to claim 8, Wood, in view of Bhandari, teaches initiating of said voice call from said local integrated communications platform to the remote voice communication system using said location information further comprises: dialing a contact number identified in said location information for an attendant at the remote voice communication system (***see claims 1 and/or 3 and 5***). Furthermore, Wood teaches detecting at said local integrated communications platform the end of an audible ringing signal indicative of call answer by said attendant (***off-hook condition, col. 6,***

line 62 – col. 7, line 5), detecting at said local integrated communication platform a further audible ringing signal indicative of the call being placed to said telephone by said attendant **(as appreciated by the skilled artisans that any electronic switching service, such as the 5ESS (Class 5 of Electronic Switching Service), or any intelligently integrated network, such as the one described by Wood, is inherently capable of signal indicative of the call being placed to any telephone. Indeed, that is a required step in processing a call. Wood also implicitly discusses this element (col. 2, lines 18-20; col. 8, lines 15-25)).**

Wood, in view of Bhandari, does not teach:

connecting an automatic speech recognizer or ASR for listening to detect a code word spoken by the remote user upon answering; and

upon detecting said code word providing a voice channel over said PSTN to provide service to the remote user.

However, Robinson teaches:

connecting an automatic speech recognizer or ASR **(automatic voice recognition, col. 8, line 48)** in said local integrated communications platform **(Intelligent Peripheral 40 of fig. 1)** for listening to detect a code word **(voice command, col. 11, line 3)** spoken by the remote user upon answering; and

upon detecting said code word **(voice command, col. 11, line 3)** providing a voice channel over said PSTN to provide service to the remote user for the purpose of providing a greater and more flexible way to access a call via voice recognition

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time of the invention was made to incorporate the teaching of Robinson into the teaching of Wood for the purpose of providing greater access and convenience for the callers. An example of this is if a caller is driving, it would be very hard and dangerous to look at the phone and dial a number or a code. It is rather safe to have voice recognition feature as part of making a call. This also provides a high marketable value for the service providers.

However, All of them, Wood, Bhandari and Robinson do not explicitly disclose: repetitively playing a voice announcement indicating a desire to be connected to a telephone identified in said location information for said remote user;

Miner teaches:

repetitively playing a voice announcement (*reminders, col. 2, line 23; also see Fig. 2 and pars. 0009 - 0012 for details on how the personal assistant or electronic assistant can schedule and manage reminders for its subscriber. When reminders come due, the electronic assistant notifies the subscriber; see FIG. 31 for the reminder task loop indicating that the action is repeated*) indicating a desire to be connected to a telephone identified in said location information for said remote user for the purpose of persistently reminding the subscriber that there is a call on hold for in waiting for him unless he decides not to receive it.

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time of the invention was made to incorporate the teaching of Miner into the teaching of Wood, in view of Bhandari and Robinson, for the purpose of providing

greater access and convenience in accessing a phone via voice recognition, eliminating the annoyance of unnecessary audible ring once the conversation is live, and ensuring that the subscriber is aware by receiving some form of reminder (audible ringing) that someone is on hold and wishes to speak with him,

INQUIRY

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CURTIS KUNTZ/

/Phung-Hoang J Nguyen/

Art Unit: 2614

Supervisory Patent Examiner, Art Unit 2614

Examiner, Art Unit 2614